

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FRANK INVESTMENTS, INC.,	:	CIVIL ACTION
	:	NO. 03-4369
Plaintiff,	:	
	:	
v.	:	
	:	
ACE AMERICAN INSURANCE CO.,	:	
ET AL.,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this **2nd day** of **August 2004**, upon stipulation of partial dismissal of claims by plaintiff Frank Investments against Ace American Ins. Co., Ace Ins. Limited, Hoyt's Cinema Corp., Consolidated Press Holdings Limited, Northeast Cinemas (NJ) LLC, and Hush Holdings Co., Inc., see doc. no. 65, it is **ORDERED** that defendant Ace American's motion to dismiss the complaint (doc. no. 49) is **DENIED AS MOOT**.

It is **FURTHER ORDERED** that defendant Ace American's motion to declare New Jersey law as controlling (doc. no. 51) is **DENIED AS MOOT**.¹

It is **FURTHER ORDERED** that Frank Investment's motion for extension of time to file a response (doc. no. 53) is **DENIED AS MOOT**.

It is **FURTHER ORDERED** that Frank Investment's motion

1. Third-party plaintiff Ace American Ins. Co. is granted leave to re-file this motion if applicable against third-party defendant TIG Ins. Co.

for leave to file a sur-reply brief is (doc. no. 54) is **DENIED AS MOOT.**

It is **FURTHER ORDERED** that Ace American's motion to reply to plaintiff's opposition (doc. no. 57) is **DENIED AS MOOT.**

AND IT IS SO ORDERED.

EDUARDO C. ROBRENO, J.